

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6338**

**BILL NUMBER:** HB 1321

**NOTE PREPARED:** Nov 17, 2006

**BILL AMENDED:**

**SUBJECT:** Motor Vehicle Accident Scenes.

**FIRST AUTHOR:** Rep. Neese

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill requires the driver of a vehicle involved in an accident that results in injury to or the entrapment of a person in a vehicle to: (1) stop the vehicle at the scene of the accident; and (2) render assistance to each person injured or entrapped in the accident.

It also provides that if the driver of a vehicle involved in an accident is physically incapable of making an immediate report of the accident to the appropriate law enforcement agency, another occupant in the vehicle capable of making the report must: (1) immediately report the accident to the appropriate law enforcement agency; and (2) render reasonable assistance to each person injured or entrapped in the accident.

The bill provides that a driver or occupant who knowingly, intentionally, or recklessly violates any of these provisions commits a Class C misdemeanor.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** There are no data available to indicate if additional offenders may be convicted of a Class C misdemeanor for violating provisions concerning injury accidents if entrapment of a person in the vehicle is added to the definition. Also, there are no data available to indicate how many offenders may be convicted of a Class C misdemeanor for failing to report or render reasonable assistance in the event that the driver of the vehicle is incapable of doing so.

If additional court cases occur and fines are collected, revenue to both the Common School Fund and the

state General Fund would increase. The maximum fine for a Class C misdemeanor is \$500. Criminal fines are deposited in the Common School Fund.

If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund. In addition, some or all of the judicial salaries fee (\$15), the public defense administration fee (\$3), the court administration fee (\$2), the judicial insurance adjustment fee (\$1), and the DNA sample processing fee (\$1) are deposited into the state General Fund.

*Background:* On average between 2000 and 2004, there were 94 offenders a year found guilty of failing to stop at an accident with injuries.

**Explanation of Local Expenditures:** A Class C misdemeanor is punishable by up to 60 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

**Explanation of Local Revenues:** If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. In addition, several additional fees may be collected at the discretion of the judge and depending upon the particular type of criminal case.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.